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AZ CORP COMMISSION  
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Attorneys for New River Utility Company

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF NEW RIVER UTILITY COMPANY FOR  
AN EXTENSION OF ITS EXISTING  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY FOR WATER SERVICE.

DOCKET NO. W-01737A-06-0171

**NOTICE OF FILING CERTIFICATION  
OF PUBLICATION AND PROOF OF  
MAILING**

Pursuant to the Procedural Order dated October 23, 2006, New River Utility Company ("Applicant"), an Arizona public service corporation, hereby submits this Notice of Filing Certification of Publication and Proof of Mailing in the above-captioned matter.

On November 17, 2006 legal public notice was published in the *Peoria Times*. The affidavit of Carolyn Castillo of the *Peoria Times* is attached hereto as Exhibit 1.

On November 15, 2006 Applicant mailed notification to the property owner. The affidavit of Whitney A. Birk is attached hereto as Exhibit 2.

DATED this 22<sup>nd</sup> day of November, 2006.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission  
**DOCKETED**  
**NOV 22 2006**

By: 

Jay L. Shapiro  
Patrick J. Black  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012  
Attorneys for New River Utility Company

DOCKETED BY



1 ORIGINAL and 13 copies filed this 22<sup>nd</sup> day of November, 2006:

2 Docket Control  
3 Arizona Corporation Commission  
4 1200 West Washington Street  
5 Phoenix, Arizona 85007

6 COPY hand delivered this 22<sup>nd</sup> day of November, 2006 to:

7 Yvette B. Kinsey, ALJ  
8 Hearing Division  
9 Arizona Corporation Commission  
10 1200 W. Washington Street  
11 Phoenix, Arizona 85007

12 Kevin Torrey  
13 Legal Division  
14 Arizona Corporation Commission  
15 1200 W. Washington Street  
16 Phoenix, Arizona 85007

17 COPY mailed this 22<sup>nd</sup> day of November, 2006 to:

18 Marshall Reynolds  
19 Rencor Development  
20 5013 E. Washington Street, Suite 100  
21 Phoenix, Arizona 85034

22 By: Maria San Jose

23 1858949.1/69300.024

24  
25  
26

# EXHIBIT

1

# AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA                     )  
  ) ss.  
COUNTY OF MARICOPA             )

I, Carolyn Castillo of  
**PEORIA TIMES**

A newspaper of general circulation  
published and printed in the city of  
Glendale, County of Maricopa, State of  
Arizona, do solemnly swear that a copy of  
the notice, in the matter of

PUBLIC NOTICE

Docket No. W-01737A-06-0171

New River Utility Company

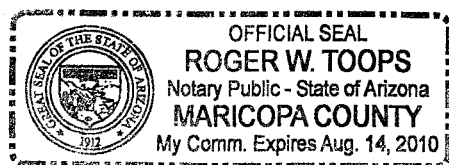
As per clipping attached, was published  
weekly in the regular and entire edition  
of the said newspaper, and not in any  
supplement hereof, for a period of 1  
consecutive week(s), as follows, to-wit:  
11/17/06

(s) *Carolyn Castillo*

Subscribed and sworn to before me, this  
17th day of November (year) 2006.

(s) *R. W. Toops*  
Notary Public

My commission expires:



## PUBLIC NOTICE

### **PUBLIC NOTICE OF THE HEARING FOR THE APPLICATION OF NEW RIVER UTILITY COMPANY FOR AN EXTENSION OF ITS CERTIFICATE OF CONVENIENCE AND NECESSITY**

**Docket No. W-01737A-06-0171**

On March 16, 2006, New River Utility Company ("Applicant") filed with the Arizona Corporation Commission ("Commission") an application for an extension of its Certificate of Convenience and Necessity ("Certificate") to provide water service in Maricopa County, Arizona. If the application is granted, the Applicant would be the exclusive provider of water service to the proposed extension area and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission. The application, report of the Commission's Utilities Division Staff, and any written exceptions to the staff report prepared by the Applicants are available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona 85007, and at the offices of the Company, 7839 West Deer Valley Road, Peoria, Arizona, 85382, and on the internet via the Commission website ([www.azcc.gov](http://www.azcc.gov)) using the e-docket function.

The Commission will hold a public hearing on this matter on **December 21, 2006 at 10:00 a.m.** at the Commission's offices, at 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission and send such motion to the Company or its counsel and to all parties of record, and which at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenor's interest in the proceeding (e.g. a customer of the Company, a shareholder of the Company, a competitor, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before December 1, 2006. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross-examine other witnesses. Failure to intervene will not preclude any interested person or entity from appearing at the hearing and making a statement on their own behalf. You will not, however, receive any further notice of the proceeding unless requested by you. Please check with the Commission for any changes to the scheduled hearing date.

If you have any comments, mail them to:

The Arizona Corporation Commission  
Attention Docket Control

Re: New River Utility Company

W-01737A-06-0171

1200 West Washington Street  
Phoenix, Arizona 85007

If you have any questions about this application, wish to file written comments on the application, or want information on intervention, you may contact the Consumer Services Section of the Commission, at 1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as sign language interpreter, as well as request this document in an alternative format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602-542-3931. E-mail [lhogan@azcc.gov](mailto:lhogan@azcc.gov). Requests should be made as early as possible to allow time to arrange the accommodation.

Publish Peoria Times

November 17, 2006

# EXHIBIT

# 2

**AFFIDAVIT OF WHITNEY A. BIRK**

Whitney A. Birk, being duly sworn, deposes and says:

1. I am a resident of Maricopa County, over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am a paralegal at Fennemore Craig, P.C.

3. Pursuant to the October 23, 2006 Procedural Order issued by the Arizona Corporation Commission, on November 15, 2006 New River Utility Company ("Applicant") mailed to the property owner, Mr. Marshall Reynolds, a copy of the notice regarding the hearing set to begin on December 21, 2006.

4. In further accordance with the Procedural Order, Applicant files this certification of mailing.

Whitney A. Birk  
Whitney A. Birk

SUBSCRIBED and sworn to before me this 22<sup>nd</sup> day of November, 2006.



Notary Public State of Arizona  
Maricopa County  
Trudy Andressen  
Expires October 02, 2007

Trudy Andressen Buel  
Notary Public

My Commission Expires:

October 2, 07

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